

North Dakota Board of Nursing Meeting Minutes - September 17-18, 2009

Call to Order: September 17, 2009 at 8:30 a.m. – Board of Nursing Conference Room, 919 S 7th Street, Ste 504, Bismarck, ND.

Roll Call: Eight board members present as follows:

Nelson (Buzz) Benson, RN, President
Charlene Christianson, RN, Treasurer
Daniel Rustvang, RN
Hilary Kaisershot, LPN

Julie Traynor, RN, Vice-President
JoAnn Sund, RN
Elizabeth Anderson, LPN
Karen LaLonde, Public Member

Absent: Melisa Frank, LPN

Staff Present:

Constance Kalanek, RN, Executive Director
Patricia Hill, RN, Asst. Director for Practice & Discipline
Linda Shanta, RN, Associate Director for Education

Karla Bitz, RN, Associate Director
Julie Schwan, Admin Services Coordinator

Observers were present as indicated on the attached rosters.

AGENDA	ACTION
1.1 Consent Agenda	<p><i>Discussion:</i> The board reviewed the consent agenda. No items were identified for discussion.</p> <p><i>Motion:</i> Sund, seconded by Anderson to: ADOPT THE CONSENT AGENDA AS PRESENTED.</p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, absent; Kaisershot, yes; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 8 yes, 0 no, 1 absent. Motion carried.</p>
1.2 Agenda	<p><i>Discussion:</i> The agenda was reviewed as distributed. Staff indicated that agenda item 5.42 Ratification of CE was numbered incorrectly in the board packet.</p> <p><i>Motion:</i> Traynor, seconded by Sund to: APPROVE THE AGENDA AS CORRECTED.</p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, absent; Kaisershot, yes; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 8 yes, 0 no, 1 absent. Motion carried.</p>
1.3 Open Forum 9:00 a.m.	No one was present to address the board during open forum.
2.1 July 16-17, 2009 Meeting Minutes	<p><i>Discussion:</i> The minutes of the July 16-17, 2009 meeting were reviewed. No changes were identified.</p> <p><i>Motion:</i> Traynor, seconded by Rustvang to: APPROVE THE MINUTES OF THE JULY 16-17, 2009 MEETING AS DISTRIBUTED.</p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, absent; Kaisershot, yes; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 8 yes, 0 no, 1 absent. Motion carried.</p>
3.1 Financial Statements	Financial Statements through August 31, 2009 were reviewed. The board reviewed the comparison in actual expenditures to date from last year to this year. Actual Income is at 7% and actual expenses were at 14% of budgeted. The FY 08-09 financial statements as of June 30, 2009 were reviewed, with 108% of budgeted income and 101% of budgeted expenses after year-end adjustments. The board indicated that charts would help to better understand the financial statements. Staff will prepare charts in addition to the financial statements twice a year.
3.2 Strategic Plan	The board met September 16, 2009 for a retreat day and worked on strategic planning. The morning of September 18 will also be devoted to strategic planning with Rose Stoller as facilitator. It was recommended that a task force work on the recommendations from the strategic planning sessions. Sund, Traynor, and Benson will serve on the task force.
3.3 Policy & Procedure for Collection of Fees	<p><i>Discussion:</i> The board reviewed proposed revisions to the Policy & Procedure for Collection of Fees which adds a section to address credit or debit card transaction procedures. For manual credit card transactions, staff is encouraged to type in the credit card information into the processing system while on the phone with the applicant. If a credit card number is in print, the credit card information must be shredded or destroyed immediately after use.</p> <p><i>Motion:</i> Anderson, seconded by Sund to: ACCEPT THE PROPOSED REVISIONS TO THE "POLICY & PROCEDURE FOR COLLECTION OF FEES" THAT DETAILS USE OF CREDIT CARD INFORMATION VIA PHONE OR ON-LINE.</p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, absent; Kaisershot, yes; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 8 yes, 0 no, 1 absent. Motion carried.</p>
3.4 Policy & Procedure for Credit Card Use	<i>Discussion:</i> The board reviewed proposed revision to the Policy & Procedure for Credit Card Use. The revisions address 1) that designated administrative staff has board issued credit cards and 2) the approved uses for board credit card are revised to include registrations for conferences, incidental office supplies, and publications.

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3.4 Policy & Procedure for Credit Card Use (cont)	<p><i>Motion:</i> Sund, seconded by Christianson: ACCEPT THE PROPOSED REVISIONS TO THE “POLICY & PROCEDURE FOR CREDIT CARD USE” THAT DETAILS USES FOR THE BOARD ISSUED CREDIT CARDS.</p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, absent; Kaisershot, yes; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 8 yes, 0 no, 1 absent. Motion carried.</p>																																								
3.5 State Facts	The board reviewed a fact sheet that lists information about ND Board of Nursing. Board members requested this information be available on the website under “About the Board”.																																								
4.0 (a) PVR Case Resolution Summary	The Fiscal Year PVR Case Resolution Summary was reviewed. 105 PVRs were received for RN/LPN with 106 cases resolved (some from prior year). 49 PVRs were received for UAPs with 49 cases resolved. Number of days from receipt of complaint to resolution averaged 68 days for RN/LPN and 36 days for UAP.																																								
4.0 (b) Positive Response Resolution Summary	The Fiscal Year Positive Response Resolution Summary was reviewed. Number of positive responses received for RN/LPN was 150 with 145 resolved and received for UAP was 164 with 157 resolved. Total average days from receipt to resolution were 14 days for RN/LPN and 29 days for UAP. The board discussed the criminal history question revision from “arrested, charged or convicted of a crime other than a minor traffic offense” to “arrested, charged or convicted of a felony”. Staff indicated there is still confusion answering the questions when a criminal case is charged as a felony and pled down to a misdemeanor or when a felony charge is dismissed. DRP recognizes there may be confusion and reviews each one on a case by case basis.																																								
4.1 Administrative Settlements – Practice	<p><i>Discussion:</i> Seven individuals have signed and submitted an administrative settlement for practice without a license/registration since the last meeting. Each was reviewed and considered by the Board.</p> <p><i>Motion:</i> Traynor, seconded by Rustvang to: ACCEPT THE ADMINISTRATIVE SETTLEMENTS FOR PRACTICE WITHOUT A LICENSE/REGISTRATION FOR THE FOLLOWING:</p> <table><tr><th>NAME</th><th>Lic/Reg #</th><th>City, State</th><th>Sanction</th><th>Penalty Fee</th></tr><tr><td>Keats, Donna</td><td>UAP Applicant</td><td>Hawley, MN</td><td>Reprimand</td><td>\$500</td></tr><tr><td>Miller, Renee</td><td>102860UAP</td><td>Velva ND</td><td>Reprimand</td><td>\$300</td></tr><tr><td>Moen, Emily</td><td>105010UAP</td><td>Fargo, ND</td><td>Reprimand</td><td>\$200</td></tr><tr><td>Runge, Oreen</td><td>103161UAP</td><td>Stanton, ND</td><td>Reprimand</td><td>\$200</td></tr><tr><td>Scherr, Chelsey</td><td>104868UAP</td><td>Dickinson, ND</td><td>Reprimand</td><td>\$200</td></tr><tr><td>Tegtmeier, Stephanie</td><td>104762UAP</td><td>Kindred, ND</td><td>Reprimand</td><td>\$200</td></tr><tr><td>Thompson, Jaleen</td><td>97168UAP</td><td>Fargo, ND</td><td>Reprimand</td><td>\$200</td></tr></table> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, absent; Kaisershot, yes; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 8 yes, 0 no, 1 absent. Motion carried.</p>	NAME	Lic/Reg #	City, State	Sanction	Penalty Fee	Keats, Donna	UAP Applicant	Hawley, MN	Reprimand	\$500	Miller, Renee	102860UAP	Velva ND	Reprimand	\$300	Moen, Emily	105010UAP	Fargo, ND	Reprimand	\$200	Runge, Oreen	103161UAP	Stanton, ND	Reprimand	\$200	Scherr, Chelsey	104868UAP	Dickinson, ND	Reprimand	\$200	Tegtmeier, Stephanie	104762UAP	Kindred, ND	Reprimand	\$200	Thompson, Jaleen	97168UAP	Fargo, ND	Reprimand	\$200
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4.3 Voluntary Surrender	<p><i>Discussion:</i> Two individuals have signed and submitted voluntary surrenders, seeking the Board’s consideration and approval of its terms. The board reviewed and discussed the facts and terms of the Voluntary Surrenders.</p> <p><i>Motion:</i> Anderson, seconded by Sund to: APPROVE AND ACCEPT THE PROPOSED VOLUNTARY SURRENDERS AS A FINAL ORDER OF THE BOARD FOR THE FOLLOWING INDIVIDUALS.</p> <table><tr><th>Name</th><th>Lic/Reg #</th><th>City, State</th><th>Penalty Fee</th></tr><tr><td>Johnson, Amy</td><td>R33329</td><td>Minot, ND</td><td>\$200</td></tr><tr><td>Ross, Audrey</td><td>L8626</td><td>Fairview, MT</td><td>\$200</td></tr></table> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, absent; Kaisershot, yes; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 8 yes, 0 no, 1 absent. Motion carried.</p>	Name	Lic/Reg #	City, State	Penalty Fee	Johnson, Amy	R33329	Minot, ND	\$200	Ross, Audrey	L8626	Fairview, MT	\$200																												
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4.41 Stipulation for Settlement – Andrew DeVries, LPN Applicant	<p><i>Discussion:</i> Traynor recused from this item. A Stipulation for Settlement was received from Andrew DeVries, LPN Applicant, seeking the Board’s consideration and approval of its terms. The Board reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (4).</p> <p><i>Motion:</i> Christianson, seconded by Rustvang to: ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR ANDREW DEVRIES, LPN APPLICANT, AND ENTER ITS ORDER TO:</p> <ul style="list-style-type: none">◆ ISSUE A REPRIMAND;◆ ASSESS A \$500 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND◆ OTHER TERMS AS SET OUT IN BOARD ORDER. <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, absent; Kaisershot, yes; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, recuse; 7 yes, 0 no, 1 recuse, 1 absent. Motion carried.</p>																																								

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AGENDA ITEM	ACTION
4.42 Stipulation for Settlement – Debora Overboe, R18658	<p><i>Discussion:</i> A Stipulation for Settlement was received from Debora Overboe, RN, seeking the Board's consideration and approval of its terms. The Board reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (3) and NDAC 54-02-07-01.1 (5)(6)(8).</p> <p><i>Motion:</i> Sund, seconded by Rustvang to: ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR DEBORA OVERBOE, RN, AND ENTER ITS ORDER TO:</p> <ul style="list-style-type: none"> ◆ ISSUE A REPRIMAND; ◆ ASSESS A \$300.00 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND ◆ OTHER TERMS AS SET OUT IN BOARD ORDER. <p><i>Roll call vote:</i> Anderson, recuse; Benson, yes; Christianson, yes; Frank, absent; Kaisershot, yes; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 7 yes, 0 no, 1 recuse, 1 absent. Motion carried.</p>
4.43 Stipulation for Settlement – Wendy Rambough, R28038	<p><i>Discussion:</i> A Stipulation for Settlement was received from Wendy Rambough, RN, seeking the Board's consideration and approval of its terms. The Board reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (3)(5) and NDAC 54-02-07-01.1 (5)(6).</p> <p><i>Motion:</i> Rustvang, seconded by Traynor to: ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR WENDY RAMBOUGH, RN, AND ENTER ITS ORDER TO:</p> <ul style="list-style-type: none"> ◆ ISSUE A REPRIMAND; ◆ ASSESS A \$600.00 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND ◆ OTHER TERMS AS SET OUT IN BOARD ORDER. <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, absent; Kaisershot, yes; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 8 yes, 0 no, 1 absent. Motion carried.</p>
4.44 Stipulation for Settlement – Christine Mickelson, R22578	<p><i>Discussion:</i> A Stipulation for Settlement was received from Christine Mickelson, RN, seeking the Board's consideration and approval of its terms. The Board reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (3)(5) and NDAC 54-02-07-01.1 (5)(6)(7)(8).</p> <p><i>Motion:</i> Traynor, seconded by Christianson to: ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR CHRISTINE MICKELSON, RN, AND ENTER ITS ORDER TO:</p> <ul style="list-style-type: none"> ◆ ISSUE A REPRIMAND; ◆ ASSESS A \$800.00 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND ◆ OTHER TERMS AS SET OUT IN BOARD ORDER <p><i>Roll call vote:</i> Anderson, recuse; Benson, yes; Christianson, yes; Frank, absent; Kaisershot, yes; LaLonde, recuse; Rustvang, yes; Sund, recuse; Traynor, yes. 5 yes, 0 no, 3 recuse, 1 absent. Motion carried.</p>
4.45 Stipulation for Settlement – Evelyn McAvoy, R26875	<p><i>Discussion:</i> A Stipulation for Settlement was received from Evelyn McAvoy, RN, seeking the Board's consideration and approval of its terms. The Board reviewed and discussed the facts and terms of the Stipulation for Settlement for violation of NDCC 43-12.1-14 (3)(5) and NDAC 54-02-07-01.1 (5)(6)(7).</p> <p><i>Motion:</i> Sund, seconded by Anderson to: ACCEPT THE TERMS OF THE PROPOSED STIPULATION FOR SETTLEMENT FOR EVELYN MCAVOY, RN, AND ENTER ITS ORDER TO:</p> <ul style="list-style-type: none"> ◆ ISSUE A REPRIMAND; ◆ ASSESS A \$800.00 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND ◆ OTHER TERMS AS SET OUT IN BOARD ORDER <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, recuse; Frank, absent; Kaisershot, yes; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 7 yes, 0 no, 1 recuse, 1 absent. Motion carried.</p>
4.61 Default Hearing – Melissa Beier, L11840 Sept 17, 2009 @ 9:15 a.m.	<p><i>Discussion:</i> Brian Bergeson, SAAG, was present for this agenda item for a default hearing for Melissa Beier, LPN. A complaint was filed against Melissa Beier for violation of NDCC 43-12-1-14(1). Bergeson explained that the respondent failed to respond or appear to answer to the allegations of the complaint. Respondent was notified of the hearing, but was not present for the hearing and was not represented by counsel. The Board was presented with the procedural background of the case, including the date of service of complaint and the lack of any answer or response by the Respondent. Board staff provided testimony supporting the factual allegations of the complaint. The disciplinary review panel presented to the Board a recommendation of disciplinary sanctions. The board reviewed and discussed the facts and conclusions of law applicable to the case.</p> <p><i>Motion:</i> Anderson, seconded by Traynor that: THE RESPONDENT HAS DEFAULTED; THE FACTS IN THE CASE AGAINST MELISSA BEIER, LPN, HAVE BEEN PROVEN BY A PREPONDERANCE OF THE EVIDENCE, THE ALLEGATIONS OF THE COMPLAINT DULY REFLECT VIOLATION OF NDCC 43-12.1-14 (1) THE BOARD ENTER IT'S ORDER TO:</p> <ul style="list-style-type: none"> ◆ SUSPEND THE LICENSE FOR A PERIOD OF TWO YEARS; ◆ ASSESS A \$800.00 PENALTY FEE PLUS COSTS AND DISBURSEMENTS; AND ◆ OTHER TERMS AS SET OUT IN BOARD ORDER

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4.61 Default Hearing – Melissa Beier, (cont)	<i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, absent; Kaisershot, yes; LaLonde, yes; Rustvang, yes; Sund, recuse; Traynor, yes; 7 yes, 0 no, 1 recuse, 1 absent. Motion carried.
4.71 Request for Reinstatement - Tina Foerster, L12049	<p><i>Discussion:</i> Tina Foerster, LPN has requested reinstatement of her LPN license to full status. The board reviewed and discussed the Disciplinary Review Panel recommendation to reinstate her practical nurse license to full status. Ms. Foerster was not required to make a personal appearance due to her full and timely compliance.</p> <p><i>Motion:</i> Rustvang, seconded by LaLonde to: GRANT THE REQUEST FOR REINSTATEMENT OF THE LPN LICENSE FOR TINA FOERSTER TO UNRESTRICTED LICENSE STATUS AND SUCCESSFUL DISCHARGE FROM THE WORKPLACE IMPAIRMENT PROGRAM AS SHE HAS COMPLIED WITH THE TERMS AND CONDITIONS OF ENTRY INTO WORKPLACE IMPAIRMENT PROGRAM AND BOARD ORDER DATED NOVEMBER 15, 2007.</p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, absent; Kaisershot, yes; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 8 yes, 0 no, 1 absent. Motion carried.</p>
4.72 Request for Reinstatement – Jeannine Ridgway, R33172	<p><i>Discussion:</i> Jeannine Ridgway, RN, has requested reinstatement of her RN license to full status and was present via phone. The board reviewed and discussed the Disciplinary Review Panel recommendation to reinstate her registered nurse license to full status. The Board reviewed all the documents related to her application for reinstatement.</p> <p><i>Motion:</i> Sund, seconded by Kaisershot to: GRANT THE REQUEST FOR REINSTATEMENT OF THE RN LICENSE FOR JEANNINE RIDGWAY TO UNRESTRICTED LICENSE STATUS AS SHE HAS COMPLIED WITH THE TERMS AND CONDITIONS OF BOARD ORDER DATED MARCH 19, 2008 PENDING THE CHRC RESULTS.</p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, absent; Kaisershot, yes; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 8 yes, 0 no, 1 absent. Motion carried.</p>
4.73 Request for Reinstatement – Kathy Miller, L10226	<p><i>Discussion:</i> Kathy Miller, LPN was present and has requested reinstatement of her suspended LPN license. The board reviewed and discussed the Disciplinary Review Panel recommendation. Ms. Miller needs to take a refresher course to fulfill her practice hour requirements of her board order. It is a requirement of the refresher course that a nurse have a license to take the course.</p> <p><i>Motion:</i> Sund, seconded by Rustvang to: MOVE THAT THE BOARD APPROVE THE FOLLOWING:</p> <ul style="list-style-type: none"> • THE SUSPENSION SHALL BE LIFTED FOR A PERIOD OF UP TO ONE YEAR FOR THE SOLE PURPOSE OF ALLOWING MS. MILLER TO COMPLETE THE REFRESHER COURSE, FOLLOWING ALL REQUIREMENTS LISTED IN BOARD ORDER; AND • UPON SUCCESSFUL COMPLETION OF A BOARD APPROVED REFRESHER COURSE, ISSUE AN ENCUMBERED LICENSE AND LICENSEE WILL BE PLACED ON PROBATION FOR A PERIOD OF THREE YEARS. <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, absent; Kaisershot, yes; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 8 yes, 0 no, 1 absent. Motion carried.</p>
4.74 Request for Reinstatement – Stacy Guinn, 103889UAP	<p><i>Discussion:</i> Stacy Guinn, UAP has requested reinstatement of her UAP registry status. The board reviewed and discussed the Disciplinary Review Panel recommendation to reinstate her registry status to a non-disciplinary limited registration. The registration is limited to assisting an individual who directs his own care through a North Dakota Medicaid Waiver, for whom Ms. Guinn has been previously employed.</p> <p><i>Motion:</i> Sund, seconded by LaLonde to: GRANT THE REQUEST FOR REINSTATEMENT OF STACY GUINN'S UAP REGISTRATION TO NON-DISCIPLINARY "LIMITED" REGISTRATION. HER REGISTRATION IS LIMITED TO PRESENT INDIVIDUAL THAT DIRECTS HIS OWN CARE AT HOME THROUGH A ND MEDICAID WAIVER.</p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, absent; Kaisershot, yes; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 8 yes, 0 no, 1 absent. Motion carried.</p>
4.81 Request for Reconsideration - Dennis Cannizzaro, R31001	Bergeson reported that Dennis Cannizzaro, RN, was under a board order that suspended his license, but lifted the suspension as long as there were no further violations of the Nurse Practices Act. DRP received information regarding Mr. Cannizzaro that was considered a violation of the Practice Act and directed the automatic suspension of his license based on language in the board order. Mr. Cannizzaro has requested a hearing on the matter, and his license has been reinstated to encumbered status and an Administrative Law Judge has been requested to proceed with an administrative hearing.
4.91 Other – Belen Flores	<p><i>Discussion:</i> Belen Flores submitted a NNAAP Application with a positive response to the criminal history questions. Ms. Flores was charged in June 2009 of theft of property and placed on supervised probation for two years. One report has been received from her probation officer. DRP recommends denial of the application due to insufficient rehabilitation.</p> <p><i>Motion:</i> Rustvang, seconded by Traynor to: DENY BELEN FLORES APPLICATION FOR NNAAP TESTING BASED ON NDCC 43-12.1-14 (1).</p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, absent; Kaisershot, yes; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 8 yes, 0 no, 1 absent. Motion carried.</p>

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4.92 Other – Elizabeth Soholt	<p><i>Discussion:</i> Elizabeth Soholt had applied for license by endorsement on July 21, 2009 with a positive response to the sanctioning and investigation by any other jurisdiction questions. She referenced SD Board of Nursing November 2007 emergency suspension and is now under non-disciplinary monitoring in SD through February 2009. She was practicing in ND under SD NLC license and had moved to ND and was required to apply for ND license. Ms. Soholt was issued an RN temporary permit in 8/21/2009 based on the information received. Board staff is now aware that certain information on her application was fraudulent, deceitful or false in that there was also disciplinary action in the state of Montana and Wyoming had completed an investigation of her practice. A Cease and Desist Order of RN Temporary Permit was issued on 9/14/2009. Disciplinary Review Panel recommends denial of the application based on the most recent information received. A letter from Elizabeth Soholt was distributed in which she indicates she is currently seeking treatment for addiction issues.</p> <p><i>Motion:</i> Sund, seconded by Rustvang to: DENY ELIZABETH SOHOLT'S APPLICATION FOR LICENSE BY ENDORSEMENT BASED ON NDCC 43-12.1-14 (2) (4).</p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, absent; Kaisershot, yes; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 8 yes, 0 no, 1 absent. Motion carried.</p>
4.93 Other – Michael Neeley	<p><i>Discussion:</i> Michael Neely submitted an application for APRN License on 8/7/2009 and in answering the regulatory questions failed to identify prior discipline from the state of CA. He also did not identify CA as a prior state of licensure on the application.</p> <p><i>Motion:</i> Traynor, seconded by Rustvang to: DENY MICHAEL NEELEY'S INITIAL APPLICATION FOR APRN BASED ON NDCC 43-12.1-14 (4).</p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, absent; Kaisershot, yes; LaLonde, recuse; Rustvang, yes; Sund, yes; Traynor, yes; 7 yes, 0 no, 1 recuse, 1 absent. Motion carried.</p>
4.11 Investigative Plan Policy	<p><i>Discussion:</i> Proposed revisions to the Investigative Plan Policy were reviewed. The revisions clarify that the following may be obtained as part of the preliminary investigation:</p> <ul style="list-style-type: none"> • Prescription drug profile from the Prescription Drug Monitoring Program • A chemical dependency, mental health, or physical evaluation. <p><i>Motion:</i> Traynor, seconded Christianson: APPROVE THE PROPOSED REVISIONS TO THE "INVESTIGATIVE PLAN" POLICY TO INCLUDE EVALUATIONS AND/OR PRESCRIPTION DRUG PROFILES AS PART OF THE PRELIMINARY INVESTIGATION.</p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, absent; Kaisershot, yes; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 8 yes, 0 no, 1 absent. Motion carried.</p>
4.12 Application for Reinstatement Policy	<p><i>Discussion:</i> A proposed revision to the Application for Reinstatement Policy that adds the statement for obtaining a prescription drug profile as part of the review process for reinstatement.</p> <p><i>Motion:</i> Christianson, seconded by Sund to: APPROVE THE PROPOSED REVISIONS TO THE "APPLICATION FOR REINSTATEMENT" POLICY TO OBTAIN A PRESCRIPTION DRUG PROFILE AS PART OF THE REVIEW PROCESS</p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, absent; Kaisershot, yes; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 8 yes, 0 no, 1 absent. Motion carried.</p>
5.21 NCLEX Pass Rates 2008-2009	<p>The board reviewed the fiscal year 08-09 pass rates for ND nursing programs. The average ND RN pass rates are at 86.5% and the national average pass rate is 87.5%. This is the second year the ND RN pass rate has fallen below the national average. The ND LPN pass rate 91.2% and the national average is 85.3%. No programs have fallen below the 80% pass rate for two consecutive years that would require a citation. Staff noted that Dakota College of Bottineau (Dakota Nursing Program) has a three year pass rate below 80%, and Lake Region State College has fallen below the 80% this year, but the Dakota Nursing RN Program with all five campuses combined is above the 80% pass rate this year. Traynor noted that the FY stats do not include the entire May 2009 graduating class which did better overall than previous classes.</p>
5.22 NDSU Notification of Administrative Change	<p>The board received notification from NDSU that they have hired Dr. Loretta Heuer as Associate Dean for Nursing and Allied Sciences, and Chair of the Department of Nursing.</p>
5.23 University of Mary – New Course Proposal	<p>The University of Mary has submitted a proposal for a new course as an elective for their BSN program titled "Calculating Medication Dosages". The course will be required for those students who fail a medication calculations competency exam and is highly recommended for those with a Math ACT < 21.</p> <p><i>Motion:</i> Rustvang, seconded by Traynor to: APPROVE THE PROPOSED CURRICULAR REVISIONS FROM THE UNIVERSITY OF MARY AS THE PROGRAM HAS FULL APPROVAL FROM THE ND BOARD OF NURSING AND THE CURRICULAR REVISIONS ARE IN FULL COMPLIANCE WITH NDAC 54-03.2-06-07 (4) NURSING CURRICULUM.</p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, absent; Kaisershot, yes; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 8 yes, 0 no, 1 absent. Motion carried.</p>

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5.24 Request from UND – Participation in Anniversary Celebration	The board is invited to participate in UND College of Nursing 50 th Anniversary. Board staff have sent a letter of congratulations, and a letter from the board will be sent also.
5.25 TMCC – Incomplete Transcripts	<p>The board received eighteen transcripts from Turtle Mountain Community College graduates during the past year. This summer, one transcript triggered a closer review, and staff found further discrepancies. Twelve of the eighteen transcripts did not show all required coursework of the 2007 approved curriculum of the TMCC to complete the degree. Staff contacted TMCC and worked with the registrar to identify the issues. It was noted that most of the missing coursework were courses taken at other colleges or universities that were not transferred or noted on the TMCC transcripts. TMCC registrar indicates they do not have the technology to list coursework accepted from other schools. DRP reviewed the issue at a meeting and recommended applicants be required to submit transcripts from schools where transfer courses were taken. All students with incomplete transcripts have been requested to submit additional transcripts. Staff expressed concern regarding transfer courses from an RN curriculum being transferred into an LPN program and audited courses being accepted by TMCC. The board expressed concern and wondered if the board was required to notify the higher learning commission regarding the transcript issues. The board indicated staff should obtain more information from the higher learning commission and from Dr. Davis, President of TMCC.</p> <p><i>Motion:</i> Sund, seconded by LaLonde to: ACCEPT THE FOLLOWING DISCIPLINARY REVIEW PANEL RECOMMENDATION RELATED TO TURTLE MOUNTAIN COMMUNITY COLLEGE INCOMPLETE TRANSCRIPTS:</p> <ul style="list-style-type: none"> • APPLICANTS FROM TMCC WILL BE REQUIRED TO SUBMIT ALL OFFICIAL TRANSCRIPTS FROM THE COLLEGES THE TRANSFER COURSES WERE TAKEN AND SUBSEQUENTLY ACCEPTED BY TMCC. • AS A REQUIREMENT OF INITIAL PROGRAM APPROVAL, TMCC BE REQUIRED TO SUBMIT COMPLETED TRANSCRIPTS WITH DEGREE POSTED THAT INCLUDES ALL COURSES IN THE REQUIRED CURRICULUM. THEY MUST HAVE THE TECHNOLOGY AND CAPABILITY BY THE REGISTRAR TO SUBMIT TRANSCRIPTS WHICH INCLUDED ACCEPTED TRANSFER COURSES. <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, absent; Kaisershot, yes; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 8 yes, 0 no, 1 absent. Motion carried.</p> <p><i>Motion:</i> Christianson, seconded by Traynor to: DIRECT STAFF TO VISIT WITH DR. DAVIS AND THE HIGHER LEARNING COMMISSION TO GATHER MORE INFORMATION REGARDING THE TRANSCRIPT ISSUE AND REPORT TO THE NOVEMBER NURSING EDUCATION COMMITTEE MEETING.</p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, absent; Kaisershot, yes; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 8 yes, 0 no, 1 absent. Motion carried.</p>
5.26 UND Course Change request for approval	<p><i>Discussion:</i> The University of ND has submitted two minor course revisions related to N306 Palliative Care from a special topics course to a permanent elective course and revised the title and course description of N326 Evidence-Based Practice.</p> <p><i>Motion:</i> Rustvang, seconded by Christianson to: APPROVE THE PROPOSED CURRICULAR REVISIONS FROM THE UNIVERSITY OF ND AS THE PROGRAM HAS FULL APPROVAL FROM THE ND BOARD OF NURSING AND THE CURRICULAR REVISIONS ARE IN FULL COMPLIANCE WITH NDAC 54-03.2-06-07 (4) NURSING CURRICULUM.</p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, absent; Kaisershot, yes; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 8 yes, 0 no, 1 absent. Motion carried.</p>
5.27 UTTC Programmatic Changes	<p><i>Discussion:</i> United Tribes Technical College has submitted two programmatic changes to their nursing program: 1) a change in the Department Head titling from Director to Chair, and 2) a revised mission statement for the nursing program.</p> <p><i>Motion:</i> Traynor, seconded by Anderson to: APPROVE THE PROPOSED PROGRAMMATIC CHANGES FROM THE UNITED TRIBES TECHNICAL COLLEGE AS THE PROGRAM HAS FULL APPROVAL FROM THE ND BOARD OF NURSING AND THE PROGRAMMATIC CHANGES ARE IN FULL COMPLIANCE WITH NDAC 54-03.2-06-02 PROGRAMMATIC CHANGES.</p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, absent; Kaisershot, yes; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 8 yes, 0 no, 1 absent. Motion carried.</p>

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5.28 Jamestown College Request for Korean Student experience- NDCC 43-12.1-04. Persons exempt from provisions of chapter.	<p><i>Discussion:</i> Dr. Jacqueline Magnall, Chair of the Jamestown College Nursing Program was present via phone for this agenda item. Jamestown College is proposing to offer a 16 week learning experience for students from South Korea. Staff explained that the clinical learning experience does not meet the out-of-state program exemption (NDCC 43.12.1-04(12) because students are from another country and will be students of Jamestown College. The board discussed the NDCC 43.12.1-04(2) exemption for students enrolled in a board approved program and felt this exemption more closely fit the situation. The students are not enrolled in the nursing program, but are enrolled at Jamestown College. The board discussed the Internship Experience project with Dr. Mangnall and she will send a report about the project when completed.</p> <p><i>Motion:</i> Traynor, seconded Christianson APPROVE THE REQUEST BY JAMESTOWN COLLEGE NURSING PROGRAM FOR A COHORT OF KOREAN STUDENTS TO PARTICIPATE IN A KOREAN NURSING STUDENTS INTERNSHIP EXPERIENCE ACCORDING TO NDCC 43-12.1-04(2) PERSONS EXEMPT FROM PROVISIONS OF CHAPTER.</p>		
5.28 Jamestown College Request for Korean Student experience (cont)	<p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, absent; Kaisershot, yes; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 8 yes, 0 no, 1 absent. Motion carried.</p>		
5.41 NDNA – Notification of changes to Refresher Course	<p>ND Nurses Association notified the board that the CNE-Net Refresher Course will only be offered to those persons in ND seeking to reactivate their nursing license. The LPN IV course will continue until the next renewal period.</p>		
5.42 Ratification of Approval of CE	<p><i>Discussion:</i> The board reviewed a list of courses approved by board staff for contact hours as of September 16, 2009.</p> <p><i>Motion:</i> Christianson, seconded by Kaisershot to: RATIFY APPROVAL OF THE WORKSHOPS FOR CONTACT HOURS SUBMITTED TO THE ND BOARD OF NURSING, WHICH INCLUDES COURSES #805 THROUGH #816.</p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, yes; Kaisershot, yes; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 9 yes, 0 no, 0 absent. Motion carried.</p> <p><i>Discussion:</i> Staff request the board consider moving this agenda item to the consent agenda, and the courses would be ratified with the adoption of the consent agenda.</p> <p><i>Motion:</i> Sund, seconded by Traynor that: THE BOARD RATIFY THE APPROVAL OF THE WORKSHOPS FOR CONTACT HOURS SUBMITTED TO THE ND BOARD OF NURSING ON THE CONSENT AGENDA FOR FUTURE MEETINGS</p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, absent; Kaisershot, yes; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 8 yes, 0 no, 1 absent. Motion carried.</p>		
5.51 Nurse Faculty Intern Pilot Study	<p><i>Discussion:</i> Eleven applications for the Nurse Faculty Intern Pilot Study have been received since the last meeting that meets the requirements for participation.</p> <p><i>Motion:</i> Anderson, seconded by Traynor to: RATIFY APPROVAL OF THE FOLLOWING NURSE FACULTY INTERNS:</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> Anne Eliason RN (changed employer) Shane Skeim, RN Jody Morlan, RN Kimberly Lee, RN Nathan Koland, RN Andrea Ginerich, RN </td> <td style="width: 50%; vertical-align: top;"> Tracy Enger RN Heidi Shannon, RN Rachel McGauvran, RN Jennifer Laframboise, RN Samuel Held, RN </td> </tr> </table> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, absent; Kaisershot, yes; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 8 yes, 0 no, 1 absent. Motion carried.</p>	Anne Eliason RN (changed employer) Shane Skeim, RN Jody Morlan, RN Kimberly Lee, RN Nathan Koland, RN Andrea Ginerich, RN	Tracy Enger RN Heidi Shannon, RN Rachel McGauvran, RN Jennifer Laframboise, RN Samuel Held, RN
Anne Eliason RN (changed employer) Shane Skeim, RN Jody Morlan, RN Kimberly Lee, RN Nathan Koland, RN Andrea Ginerich, RN	Tracy Enger RN Heidi Shannon, RN Rachel McGauvran, RN Jennifer Laframboise, RN Samuel Held, RN		
5.52 Report of Out-of-State Students	<p>Staff indicated to date for fall semester there are 224 out-of-state students obtaining clinical experience in ND.</p>		
5.53 US Secretary of Education Recognition Letter	<p>The Secretary of Education from the US Dept of Education has granted continued recognition to the ND Board of Nursing as a state agency for the approval of nurse education for a period of four years from August 3, 2009. A press release was sent to all media throughout the state, and unfortunately was not published or noted by any of the media. It will be included in the next issue of the Dakota Nurse Connection and will be added to the website under News and Hot Topics.</p>		
5.54 NEL Recipient – Czapiewski – Request for loan forgiveness	<p><i>Discussion:</i> Dustin Czapiewski received a nursing education loan in the amount of \$1000.00 in July 2008. He graduated in May 2009 and was deployed through the military until later this fall. Staff recommends loan forgiveness since he is serving in the military.</p> <p><i>Motion:</i> Sund, seconded by Rustvang to: ACCEPT THE RECOMMENDATION OF LOAN FORGIVENESS FOR DUSTY CZAPIEWSKI RN, UPON RECEIPT OF VERIFICATION OF MILITARY DEPLOYMENT.</p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, absent; Kaisershot, yes; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 8 yes, 0 no, 1 absent. Motion carried.</p>		

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5.55 NEL Recipient – Coppin – Request for Deferment	<p><i>Discussion:</i> Shirley Coppin, LPN was granted a total of \$820.00 for a nursing education loan for the NDSCS LPN program. She has been making monetary repayments with a balance of \$689.18. Ms. Coppin has not been employed and has requested deferment of repayment until she can secure employment.</p> <p><i>Motion:</i> Rustvang, seconded by Traynor to: ACCEPT THE REQUEST FOR DEFERMENT FROM SHIRLEY COPPIN AND DEFER REPAYMENT OF HER NURSING EDUCATION LOAN UNTIL SEPTEMBER 1, 2010 WITHOUT INTEREST ACCORDING TO NDAC 54-04.1-04-05. DEFERMENT OR WHEN ND LPN EMPLOYMENT BEGINS.</p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, absent; Kaisershot, yes; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 8 yes, 0 no, 1 absent. Motion carried.</p>
6.11 CHRC Policy Revisions	<p><i>Discussion:</i> The CHRC Policy has three areas of revision. The first revision was to reflect the changes made and voted on in July related to the process for sending multiple fingerprint cards to applicants. The second revision authorizes the Executive Director to waive the requirement for a new CHRC when extenuating circumstances exist. Staff explained a scenario in which this policy was needed.</p> <p><i>Motion:</i> Rustvang, seconded by Sund to: ACCEPT THE PROPOSED REVISIONS TO THE CHRC POLICY THAT AUTHORIZES THE EXECUTIVE DIRECTOR TO WAIVE THE REQUIREMENT FOR A NEW CHRC WHEN EXTENUATING CIRCUMSTANCES EXIST.</p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, absent; Kaisershot, yes; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 8 yes, 0 no, 1 absent. Motion carried.</p> <p><i>Discussion:</i> The final set of revisions set up guidelines for staff review of positive responses to the regulatory questions. The guidelines detail circumstances which allow designated staff to sign off and process certain applications that meet the proposed guidelines. These applications would be brought to DRP through the consent agenda process rather than waiting for DRP to meet to take action.</p> <p><i>Motion:</i> Christianson, seconded by Anderson to: ACCEPT THE PROPOSED REVISIONS TO THE CHRC POLICY THAT FURTHER DETAILS THE APPROVAL PROCESS FOR STAFF TO FOLLOW WHEN REVIEWING POSITIVE RESPONSES TO THE REGULATORY QUESTIONS ON APPLICATIONS.</p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, absent; Kaisershot, yes; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 8 yes, 0 no, 1 absent. Motion carried.</p>
7.12 Study of CNA & UAP Registry	<p><i>Discussion:</i> The ND Dept of Health is establishing a workgroup made up of representatives from the Department of Health, Board of Nursing, industry, and others as identified appropriate to study this issue, and request three representatives from the Board of Nursing. The board discussed the study and the confusion that still exists regarding the two registries and the protection to the nurse through delegation that is provided by the registries.</p> <p><i>Motion:</i> APPOINT THE FOLLOWING THREE BOARD OF NURSING REPRESENTATIVES TO PARTICIPATE ON A WORK GROUP RELATED TO THE STUDY OF THE CNA & UAP registry: 1. Nelson (Buzz) Benson RN; 2. Char Christianson RN; 3. JoAnn Sund RN</p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, absent; Kaisershot, yes; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 8 yes, 0 no, 1 absent. Motion carried.</p>
7.13 BioLife Plasma Services LP Request	<p><i>Discussion:</i> Bergeson was present for this agenda item. BioLife Plasma Services facility located in Fargo, ND is bringing RNs from Oklahoma to their Fargo facility for six weeks of training. They are not licensing the nurses as they believe the training falls under the exemption of the licensure requirements under NDCC 43-12.1-04 (10). They indicated in a letter received on September 3, 2009, that they are in compliance with the NPA and have decided to continue to train the RNs in Fargo until such time as a decision is reached by the board. Staff indicated that when this exemption had been used it has never exceeded the 80 hours as identified in the administrative rules, and is typically workshops/classroom training. Bergeson explained that it is the board's responsibility to interpret the law, and discussed options available to the board. The board had questions regarding the legislative intent of the law, how other boards handle these exemptions, and what the Oklahoma Board of Nursing's position is on this issue if a disciplinary issue should arise. The board discussed issuing a letter to BioLife to cease orientation until this issue is clarified. The board decided this issue needs to be resolved but request further information on legislative intent. The board directed the Executive Committee to meet when further information is obtained from various sources.</p> <p><i>Motion:</i> Sund, seconded by Anderson to: DIRECT BOARD STAFF AND LEGAL COUNSEL TO OBTAIN LEGISLATIVE HISTORY AND INTENT OF THE EXEMPTION NDCC 43-12.1-04 (10). AND OTHER PERTINENT INFORMATION. DIRECT THE EXECUTIVE COMMITTEE TO MEET TO REVIEW THIS INFORMATION WITHIN THE NEXT TWO WEEKS FOR RESOLUTION.</p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, absent; Kaisershot, yes; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 8 yes, 0 no, 1 absent. Motion carried.</p> <p><i>Discussion:</i> The board discussed a response to BioLife, and what they would like included in the response.</p> <p><i>Motion:</i> Sund, seconded by Traynor to: DIRECT STAFF TO SEND A LETTER TO BIOLIFE PLASMA SERVICES ACKNOWLEDGING RECEIPT AND DISCUSSION OF THE REQUEST, AND THAT THE BOARD HAS CONCERNS AND HAS REQUESTED ADDITIONAL INFORMATION BEFORE MAKING A DECISION. ADDITIONAL CORRESPONDENCE WILL BE MADE WHEN THE BOARD HAS MADE A FINAL DECISION ON INTERPRETATION OF THE EXEMPTION.</p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, absent; Kaisershot, yes; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 8 yes, 0 no, 1 absent. Motion carried.</p>

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AGENDA ITEM	ACTION																																						
7.14 NURSIS Data Integrity Project Request for Funding	<p><i>Discussion:</i> NCSBN is coordinating a Nursys Data Integrity Project that ND Board of Nursing is participating in. The project is to reduce or eliminate the amount of missing or contradictory ND information for the active licensee in Nursys. Board staff have tried to incorporate this project into present workload but other projects need to be completed during work hours. NCSBN has funding available for this project, and Kalanek has requested funding for current staff, Gail Rossman, for locating and correcting or completing data outside of regular office hours.</p> <p><i>Motion:</i> Traynor, seconded by Anderson to: APPROVE THE REQUEST BY NDBON FOR FUNDING FOR THE NURSIS DATA INTEGRITY PROJECT.</p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, absent; Kaisershot, yes; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 8 yes, 0 no, 1 absent. Motion carried.</p>																																						
7.15 Request for clarification of use of credentials	<p>Board staff has received many calls related to the use of credentials, particularly the use of C, or BC with the title RN. Callers have requested that the board add the certification titles to their license. Staff indicates that these certifications are not a requirement for licensure of the RN, and the board does not track the various certifications. If verification of certification or credentials is necessary, the licensee is directed to submit a copy of their certification to requestor.</p>																																						
7.31 Prescriptive Authority Applications	<p><i>Discussion:</i> Nineteen individuals have submitted applications for prescriptive authority since the last meeting. .</p> <p><i>Motion:</i> Rustvang, seconded by Sund to: RATIFY PRESCRIPTIVE AUTHORITY FOR THE FOLLOWING:</p> <table border="1"> <tbody> <tr><td>Lisa Murdoff APRN, FNP</td><td>CP: Douglas Renton, MD</td></tr> <tr><td>Christine Lauzon, APRN, FNP</td><td>CP: James Brousseau, MD</td></tr> <tr><td>Stephanie Nilles, APRN, NNP</td><td>CP: Stephen Nelson, MD</td></tr> <tr><td>Brian Torske, APRN, FNP</td><td>CP: John Windsor, DO</td></tr> <tr><td>Ashley Thompson, APRN, FNP</td><td>CP: Edward J. Wos, DO</td></tr> <tr><td>Bridgit Fischer, APRN, FNP</td><td>CP: Kimber Boyko, MD</td></tr> <tr><td>Alisa Hogue, APRN, FNP</td><td>CP: Shahid Chaudhary, MD</td></tr> <tr><td>Andrea Malucky, APRN, FNP</td><td>CP: Benedict Roller, MD</td></tr> <tr><td>Melissa Ulberg, APRN, FNP</td><td>CP: Bruce Hetland, MD</td></tr> <tr><td>Mary Lockard, APRN, FNP</td><td>CP: Mark Jackson, MD</td></tr> <tr><td>April Wilson, APRN, FNP</td><td>CP: Jeffrey Sather, MD</td></tr> <tr><td>Jennifer Stone, APRN, FNP</td><td>CP: Brent Herbel, MD</td></tr> <tr><td>Allison Giffey, APRN, FNP</td><td>CP: Charles Stillerman, MD</td></tr> <tr><td>Alisa Hogue, APRN, FNP</td><td>CP: Shahid Chaudhary, MD</td></tr> <tr><td>Norman Berthiaume, APRN, FNP</td><td>CP: Rohini Becheri, MD</td></tr> <tr><td>Lauree Hellman, APRN, CNS</td><td>CP: Laura Schied, MD</td></tr> <tr><td>Beth Ashmore, APRN, CNS</td><td>CP: Latif Ougzin, MD</td></tr> <tr><td>Susan Clouse Smith, APRN, FNP</td><td>CP: Mark G Peterson, MD</td></tr> <tr><td>Michelle Fike, APRN, CNS</td><td>CP: Michael Capan, MD</td></tr> </tbody> </table> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, absent; Kaisershot, yes; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 8 yes, 0 no, 1 absent. Motion carried.</p> <p><i>Discussion:</i> The board discussed moving this agenda item to the consent agenda for ratification.</p> <p><i>Motion:</i> Christianson, seconded by Traynor to: MOVE RATIFICATION OF PRESCRIPTIVE AUTHORITY TO CONSENT AGENDA FOR FUTURE MEETINGS.</p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, absent; Kaisershot, yes; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 8 yes, 0 no, 1 absent. Motion carried.</p>	Lisa Murdoff APRN, FNP	CP: Douglas Renton, MD	Christine Lauzon, APRN, FNP	CP: James Brousseau, MD	Stephanie Nilles, APRN, NNP	CP: Stephen Nelson, MD	Brian Torske, APRN, FNP	CP: John Windsor, DO	Ashley Thompson, APRN, FNP	CP: Edward J. Wos, DO	Bridgit Fischer, APRN, FNP	CP: Kimber Boyko, MD	Alisa Hogue, APRN, FNP	CP: Shahid Chaudhary, MD	Andrea Malucky, APRN, FNP	CP: Benedict Roller, MD	Melissa Ulberg, APRN, FNP	CP: Bruce Hetland, MD	Mary Lockard, APRN, FNP	CP: Mark Jackson, MD	April Wilson, APRN, FNP	CP: Jeffrey Sather, MD	Jennifer Stone, APRN, FNP	CP: Brent Herbel, MD	Allison Giffey, APRN, FNP	CP: Charles Stillerman, MD	Alisa Hogue, APRN, FNP	CP: Shahid Chaudhary, MD	Norman Berthiaume, APRN, FNP	CP: Rohini Becheri, MD	Lauree Hellman, APRN, CNS	CP: Laura Schied, MD	Beth Ashmore, APRN, CNS	CP: Latif Ougzin, MD	Susan Clouse Smith, APRN, FNP	CP: Mark G Peterson, MD	Michelle Fike, APRN, CNS	CP: Michael Capan, MD
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7.33 Appointment to Prescriptive Authority Committee	<p><i>Discussion:</i> The ND Board of Medical Examiners has reappointed Gordon Leingang, DO to the prescriptive authority committee and the ND Board of Pharmacy has appointed Rick Detweiler, R.Ph, and Bonnie Thom, R. PH as an alternate representative. The prescriptive authority committee needs one more appointed board member in addition to Rustvang, according to the NDAC 54-05-03.1-08. Prescriptive Authority Review Committee.</p> <p><i>Motion:</i> Sund, seconded by Anderson to: APPOINT NELSON (BUZZ) BENSON AS A SECOND BOARD MEMBER TO THE RX AUTHORITY COMMITTEE ACCORDING TO NDAC 54-05-03.1-08.</p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, absent; Kaisershot, yes; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 8 yes, 0 no, 1 absent. Motion carried.</p>																																						

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AGENDA ITEM	ACTION
7.34 Request for recognition of New CNS Core Certification Exam	<p><i>Discussion:</i> American Nurse Credentialing Center and The National Association of Clinical Nurse Specialists have developed a new Clinical Nurse Specialist (CNS) Core certification examination offered by ANCC. NCSBN Advance Practice Committee is reviewing the examination based on its established criteria and the examination currently does not meet the requirements, but additional information has been requested. The staff requests that the board wait until NCSBN has finished their review to make a decision.</p> <p><i>Motion:</i> Traynor, seconded by Rustvang to: TABLE THIS AGENDA ITEM UNTIL FURTHER REVIEW BY NCSBN.</p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, absent; Kaisershot, yes; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 8 yes, 0 no, 1 absent. Motion carried.</p>
7.35 Request by Anna Novak, APRN, GNP	<p><i>Discussion:</i> Anna Novak, APRN, GPN, has requested an extension on the renewal of her certification that expired August 31, 2009. Ms. Novak previously applied for her certification renewal and discovered it had not been received by ANCC. She has resubmitted the information and was informed it will take ten weeks for processing.</p> <p><i>Motion:</i> Anderson, seconded by Rustvang to: APPROVE THE REQUEST FROM ANNA NOVAK, APRN, GNP FOR AN EXTENSION ON HER RENEWAL CERTIFICATION REQUIREMENT UNTIL DECEMBER 1, 2009.</p> <p><i>Roll call vote:</i> Anderson, yes; Benson, yes; Christianson, yes; Frank, absent; Kaisershot, yes; LaLonde, yes; Rustvang, yes; Sund, yes; Traynor, yes; 8 yes, 0 no, 1 absent. Motion carried.</p>
7.4 Nurse Licensure Compact	The board reviewed a report of the NCLA Activities dated August 11, 2009. The Nurse Licensure Compact Case Log was also reviewed.
7.53 Communications with Senators & Representatives	The board reviewed communications with offices of Senator Conrad and Senator Dorgan regarding an applicant for license by examination that was attending Excelsior College and wished to become licensed by examination in the state of ND.
7.6 Website & Renewal	The board office will begin the renewal period for RN and LPN around October 1 st .
7.7 Staff Report	Mosby has released the publication of a book for NCSBN on October 1, 2009 titled " <i>Nursing Pathways for Patient Safety</i> ". The book was written by a distinguished panel of experts and describes the TERCAP data collection instrument. Dr. Karla Bitz is a Member of the NCSBN Expert Panel on Practice Breakdown and a contributing author to the book.

CONSENT AGENDA:

8.1 NCSBN
8.11 Best Practices in Media Relations
8.12 APRN Video – potential interviewees
8.13 Report from NCSBN meeting
8.14 Pearson PTE Applicants
8.2 Office Management
8.3 Nursing Practice
8.31 Summary of practice calls
8.31-1 FYI 2008-2009 Summary
8.32 Correspondence from National Association of Neonatal Nurse Practitioners
8.4 Workplace Impairment Program Report
8.41 Statistics
8.42 Summary Report
8.5 Unlicensed Assistive Person/Medication Assistant
8.51 Testing Summary Report
8.52 NNAAP Testing
8.53 History of NNAAP & MACE
8.6 Licensure
8.61 Licensed Nurse
8.62 UAP Statistics
8.63 NCLEX-RN
8.64 NCLEX-PN
8.7 Discipline
8.71 Disciplinary Statistics/Case Activity Report
8.8 Legal Counsel

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8.9 Education
8.91 MN State University – Moorhead notification of 32 BSN Students in clinical education in ND facilities
8.92 MN State Community & Technical College notification of 28 AASPN students in clinical education in ND facilities
8.93 Northland Community & Technical College notification of 30 ADN students in clinical education in ND facilities
8.94 Meritcare notification of two licensed nurses receiving 8 hours of continuing education in observation.
8.95 MN State Community & Technical College notification of 36 ADN students in clinical education in ND facilities.
8.96 University of SD notification of 4 AND students in clinical education in ND facilities
8.97 University of MN notification of two APRN students practicing in ND facilities
8.98 Northland Community & Technical College notification of 74 AASPN students in clinical education in ND facilities
8.99 Presentation College notification of 11 LPN-BSN students practicing in ND facilities
8.991 St Louis University notification of 1 MS FNP student practicing in ND facilities

BOARD COMMITTEES:

9.0 Program Monitoring Committee	
9.1 Nursing Education Committee	
9.2 Finance Committee	
9.3 Executive Committee	Minutes of the July 16, 2009 meeting were reviewed.
9.4 Prescriptive Authority Committee	
9.5 Nursing Practice Committee	
9.6 Prescription Drug Monitoring Program Committee	November 20, 2009

UPCOMING MEETINGS & REPORT OF MEETINGS ATTENDED:

10.1 National Council of State Boards of Nursing Annual Meeting, August 12-14, 2009	Kalanek, Hill, Benson and Traynor attended and reviewed highlights.
10.2 NCSBN Monthly Meetings by teleconference calls and onsite:	
10.2-1 Policy Call	
10.2-2 Education Consultant Network	
10.2-3 Discipline Networking Call – August 3, Oct 20, Dec 8	
10.2-4 EO Network	
10.2-5 NLCA Meeting – August 11	
10.2-6 Mid-Year Meeting – March 2010	
10.2-7 NCSBN Executive Officers Leadership Seminar	
10.2-8 Annual Institute of Regulatory Excellence – January 19-22, 2010	
10.2-9 IRE Committee – October 2009	
10.2-10 Board Investigator & Attorney Workshop	
10.2-11 NCLEX Invitational – September 21, 2009	
10.2-12 Practice Consultant – July 22, August 18	
10.2-13 NCLEX Examination Committee – July 21	
10.2-14 Workshop on Regulation of Unlicensed Assisted Personal (UAP) – June 29-30	
10.2-15 TERCAP User Conference Call – Sept 8, Nov 2, Jan 5, 2010	
10.2-16 Uniform Core Licensure Requirements - July 20-22, September 1-3, October 20-21	
10.2-17 Executive Exam Council & NCSBN Meeting – September 28-29, 2009	
10.2-18 CORE – September 21	
10.3 ND Nurse Leadership Council, August 11	
10.4 ND Organization of Nurse Executives – September 9	
10.5 ND Nurses Association - October 9, 2009	
10.6 ND Rural & Public Health Conference – April 13-15, 2010	
10.7 ND LTCA Conference – May 5-8, 2009	
10.8 ND Health Care Association Annual Meeting, September 9-10, 2009	LaLonde, Benson, and Christianson attended and reported on highlights of the meeting.
10.9 Nursing Education Consortium – August 27, September 15 – Traynor attended and reported on the progress of the simulator placements.	
10.10 PHEVR/MRC Advisory Committee – July 21	
10.11 American Academy of Nurse Practitioners	

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10.12 Center Champion Nursing America Capacity Summit Team – July 22; September 23
10.13 ND Hospital Tele-Pharmacy Project Report
10.14 Nursing Education Capacity Team – July 8; July 22
10.15 Caregiver Services Advisory Committee – August 18, 2009

The meeting recessed for lunch at 12:00 p.m. on September 17, 2009 and reconvened at 12:45 p.m.

The meeting recessed at 3:45 p.m. on September 17, 2009 and reconvened at 8:30 a.m. on September 17, 2009 for a strategic planning session.

The meeting adjourned at 11:45 a.m. on September 18, 2009.

Constance B. Kalanek, RN, PhD
Executive Director
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